

***In the Senate of the United States,***

*July 28, 1999.*

*Resolved*, That the bill from the House of Representatives (H.R. 2605) entitled “An Act making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*  
2 *money in the Treasury not otherwise appropriated, for the*  
3 *fiscal year ending September 30, 2000, for energy and*  
4 *water development, and for other purposes, namely:*

5 *TITLE I*

6 *DEPARTMENT OF DEFENSE—CIVIL*

7 *DEPARTMENT OF THE ARMY*

8 *CORPS OF ENGINEERS—CIVIL*

9 *The following appropriations shall be expended under*  
10 *the direction of the Secretary of the Army and the super-*

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the Funds, even in the event of a bank failure.

SEC. 202. Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed seven passenger motor vehicles for replacement only.

SEC. 203. Funds under this title for Drought Emergency Assistance shall only be made available for the leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: Provided, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

### TITLE III

#### DEPARTMENT OF ENERGY

#### ENERGY PROGRAMS

#### ENERGY SUPPLY

#### (INCLUDING TRANSFER OF FUNDS)

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary

1 *for energy supply, and uranium supply and enrichment ac-*  
2 *tivities in carrying out the purposes of the Department of*  
3 *Energy Organization Act (42 U.S.C. 7101 et seq.), includ-*  
4 *ing the acquisition or condemnation of any real property*  
5 *or any facility or for plant or facility acquisition, construc-*  
6 *tion, or expansion; and the purchase of not to exceed 1 pas-*  
7 *senger motor vehicle for replacement only, \$721,233,000, of*  
8 *which \$821,000 shall be derived by transfer from the Geo-*  
9 *thermal Resources Development Fund, and \$5,000,000 shall*  
10 *be derived by transfer from the United States Enrichment*  
11 *Corporation Fund: Provided, That, \$15,000,000, of which*  
12 *\$10,000,000 shall be derived from reductions in contractor*  
13 *travel balances, shall be available for civilian research and*  
14 *development.*

15        *NON-DEFENSE ENVIRONMENTAL MANAGEMENT*

16        *For Department of Energy expenses, including the*  
17 *purchase, construction and acquisition of plant and capital*  
18 *equipment and other expenses necessary for non-defense en-*  
19 *vironmental management activities in carrying out the*  
20 *purposes of the Department of Energy Organization Act (42*  
21 *U.S.C. 7101 et seq.), including the acquisition or con-*  
22 *demnation of any real property or any facility or for plant*  
23 *or facility acquisition, construction or expansion,*  
24 *\$327,922,000, to remain available until expended.*

1        *URANIUM ENRICHMENT DECONTAMINATION AND*  
2                                *DECOMMISSIONING FUND*

3        *For necessary expenses in carrying out uranium en-*  
4 *richment facility decontamination and decommissioning,*  
5 *remedial actions and other activities of title II of the Atom-*  
6 *ic Energy Act of 1954 and title X, subtitle A of the Energy*  
7 *Policy Act of 1992, \$200,000,000, to be derived from the*  
8 *Fund, to remain available until expended: Provided, That*  
9 *\$25,000,000 of amounts derived from the Fund for such ex-*  
10 *penses shall be available in accordance with title X, subtitle*  
11 *A, of the Energy Policy Act of 1992.*

12                                *SCIENCE*

13        *For expenses of the Department of Energy activities*  
14 *including the purchase, construction and acquisition of*  
15 *plant and capital equipment and other expenses necessary*  
16 *for science activities in carrying out the purposes of the De-*  
17 *partment of Energy Organization Act (42 U.S.C. 7101 et*  
18 *seq.), including the acquisition or condemnation of any real*  
19 *property or facility or for plant or facility acquisition, con-*  
20 *struction, or expansion, and purchase of not to exceed 6*  
21 *passenger motor vehicles for replacement only,*  
22 *\$2,725,069,000, to remain available until expended, of*  
23 *which \$3,000,000 shall be used for Boston College research*  
24 *in high temperature superconductivity and of which*  
25 *\$5,000,000 shall be used for the University of Missouri re-*

1 search reactor project: *Provided, That of the amount pro-*  
2 *vided, \$2,000,000 may be available to the Natural Energy*  
3 *Laboratory of Hawaii, for the purpose of monitoring ocean*  
4 *climate change indicators.*

5 *NUCLEAR WASTE DISPOSAL*

6 *For nuclear waste disposal activities to carry out the*  
7 *purposes of Public Law 97-425, as amended, including the*  
8 *acquisition of real property or facility construction or ex-*  
9 *pansion, \$242,500,000 to be derived from the Nuclear Waste*  
10 *Fund: Provided, That not to exceed \$4,727,000 may be pro-*  
11 *vided to the State of Nevada solely for expenditures, other*  
12 *than salaries and expenses of State employees, to conduct*  
13 *scientific oversight responsibilities pursuant to the Nuclear*  
14 *Waste Policy Act of 1982, (Public Law 97-425) as amend-*  
15 *ed: Provided further, That not to exceed \$5,432,000 may*  
16 *be provided to affected units of local governments, as defined*  
17 *in Public Law 97-425, to conduct appropriate activities*  
18 *pursuant to the Act: Provided further, That the distribution*  
19 *of the funds as determined by the units of local government*  
20 *shall be approved by the Department of Energy: Provided*  
21 *further, That the funds shall be made available to the State*  
22 *and units of local government by direct payment: Provided*  
23 *further, That within 90 days of the completion of each Fed-*  
24 *eral fiscal year, the State and each local entity shall provide*  
25 *certification to the Department of Energy, that all funds*

1 expended from such payments have been expended for ac-  
 2 tivities as defined in Public Law 97-425. Failure to pro-  
 3 vide such certification shall cause such entity to be prohib-  
 4 ited from any further funding provided for similar activi-  
 5 ties: Provided further, That none of the funds herein appro-  
 6 priated may be: (1) used directly or indirectly to influence  
 7 legislative action on any matter pending before Congress  
 8 or a State legislature or for lobbying activity as provided  
 9 in 18 U.S.C. 1913; (2) used for litigation expenses; or (3)  
 10 used to support multi-state efforts or other coalition build-  
 11 ing activities inconsistent with the restrictions contained  
 12 in this Act.

### 13 DEPARTMENTAL ADMINISTRATION

14 For salaries and expenses of the Department of Energy  
 15 necessary for departmental administration in carrying out  
 16 the purposes of the Department of Energy Organization Act  
 17 (42 U.S.C. 7101 et seq.), including the hire of passenger  
 18 motor vehicles and official reception and representation ex-  
 19 penses (not to exceed \$35,000), \$219,415,000, to remain  
 20 available until expended, plus such additional amounts as  
 21 necessary to cover increases in the estimated amount of cost  
 22 of work for others notwithstanding the provisions of the  
 23 Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided,  
 24 That such increases in cost of work are offset by revenue  
 25 increases of the same or greater amount, to remain avail-

1 *able until expended: Provided further, That moneys received*  
 2 *by the Department for miscellaneous revenues estimated to*  
 3 *total \$116,887,000 in fiscal year 2000 may be retained and*  
 4 *used for operating expenses within this account, and may*  
 5 *remain available until expended, as authorized by section*  
 6 *201 of Public Law 95–238, notwithstanding the provisions*  
 7 *of 31 U.S.C. 3302: Provided further, That the sum herein*  
 8 *appropriated shall be reduced by the amount of miscella-*  
 9 *neous revenues received during fiscal year 2000 so as to*  
 10 *result in a final fiscal year 2000 appropriation from the*  
 11 *General Fund estimated at not more than \$102,528,000.*

12 *OFFICE OF THE INSPECTOR GENERAL*

13 *For necessary expenses of the Office of the Inspector*  
 14 *General in carrying out the provisions of the Inspector Gen-*  
 15 *eral Act of 1978, as amended, \$29,000,000, to remain avail-*  
 16 *able until expended.*

17 *ATOMIC ENERGY DEFENSE ACTIVITIES*

18 *WEAPONS ACTIVITIES*

19 *For Department of Energy expenses, including the*  
 20 *purchase, construction and acquisition of plant and capital*  
 21 *equipment and other incidental expenses necessary for*  
 22 *atomic energy defense weapons activities in carrying out*  
 23 *the purposes of the Department of Energy Organization Act*  
 24 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*  
 25 *demnation of any real property or any facility or for plant*

1 *or facility acquisition, construction, or expansion; and the*  
2 *purchase of passenger motor vehicles (not to exceed 3 for*  
3 *replacement only), \$4,609,832,000, to remain available*  
4 *until expended: Provided, That funding for any ballistic*  
5 *missile defense program undertaken by the Department of*  
6 *Energy for the Department of Defense shall be provided by*  
7 *the Department of Defense according to procedures estab-*  
8 *lished for Work for Others by the Department of Energy:*  
9 *Provided further, That, \$10,000,000 of the amount provided*  
10 *for stockpile stewardship shall be available to provide lab-*  
11 *oratory and facility capabilities in partnership with small*  
12 *businesses for either direct benefit to Weapons Activities or*  
13 *regional economic development.*

14 *DEFENSE ENVIRONMENTAL RESTORATION AND WASTE*  
15 *MANAGEMENT*

16 *For Department of Energy expenses, including the*  
17 *purchase, construction and acquisition of plant and capital*  
18 *equipment and other expenses necessary for atomic energy*  
19 *defense environmental restoration and waste management*  
20 *activities in carrying out the purposes of the Department*  
21 *of Energy Organization Act (42 U.S.C. 7101 et seq.), in-*  
22 *cluding the acquisition or condemnation of any real prop-*  
23 *erty or any facility or for plant or facility acquisition, con-*  
24 *struction, or expansion; and the purchase of passenger*  
25 *motor vehicles (not to exceed 35 for replacement only),*



1 \$4,551,676,000, to remain available until expended: Pro-  
 2 vided, That of the amount provided for site completion,  
 3 \$1,306,000 shall be for project 00-D-400, CFA Site Oper-  
 4 ations Center, Idaho National Engineering and Environ-  
 5 mental Laboratory, Idaho.

## 6 DEFENSE FACILITIES CLOSURE PROJECTS

7 For expenses of the Department of Energy to accelerate  
 8 the closure of defense environmental management sites, in-  
 9 cluding the purchase, construction and acquisition of plant  
 10 and capital equipment and other necessary expenses,  
 11 \$1,069,492,000, to remain available until expended.

## 12 DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

13 For Department of Energy expenses for privatization  
 14 projects necessary for atomic energy defense environmental  
 15 management activities authorized by the Department of  
 16 Energy Organization Act (42 U.S.C. 7101 et seq.),  
 17 \$228,000,000, to remain available until expended.

## 18 OTHER DEFENSE ACTIVITIES

19 For Department of Energy expenses, including the  
 20 purchase, construction and acquisition of plant and capital  
 21 equipment and other expenses necessary for atomic energy  
 22 defense, other defense activities, in carrying out the pur-  
 23 poses of the Department of Energy Organization Act (42  
 24 U.S.C. 7101 et seq.), including the acquisition or con-  
 25 demnation of any real property or any facility or for plant

1 *or facility acquisition, construction, or expansion,*  
 2 *\$1,872,000,000, to remain available until expended: Pro-*  
 3 *vided, That not to exceed \$3,000 may be used for official*  
 4 *reception and representation expenses for transparency ac-*  
 5 *tivities and not to exceed \$2,000 for the same purpose for*  
 6 *national security and nonproliferation activities.*

7 *DEFENSE NUCLEAR WASTE DISPOSAL*

8 *For nuclear waste disposal activities to carry out the*  
 9 *purposes of Public Law 97–425, as amended, including the*  
 10 *acquisition of real property or facility construction or ex-*  
 11 *pansion, \$112,500,000, to remain available until expended.*

12 *POWER MARKETING ADMINISTRATIONS*

13 *BONNEVILLE POWER ADMINISTRATION FUND*

14 *Expenditures from the Bonneville Power Administra-*  
 15 *tion Fund, established pursuant to Public Law 93–454, are*  
 16 *approved for the Northeast Oregon Hatchery Master Plan,*  
 17 *and for official reception and representation expenses in an*  
 18 *amount not to exceed \$3,000.*

19 *During fiscal year 2000, no new direct loan obliga-*  
 20 *tions may be made.*

21 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*

22 *ADMINISTRATION*

23 *For necessary expenses of operation and maintenance*  
 24 *of power transmission facilities and of marketing electric*  
 25 *power and energy, including transmission wheeling and*

1 ancillary services, pursuant to the provisions of section 5  
 2 of the Flood Control Act of 1944 (16 U.S.C. 825s), as ap-  
 3 plied to the southeastern power area, \$11,594,000; in addi-  
 4 tion, notwithstanding the provisions of 31 U.S.C. 3302, not  
 5 to exceed \$28,000,000 in reimbursements for transmission  
 6 wheeling and ancillary services and for power purchases,  
 7 to remain available until expended.

8 OPERATION AND MAINTENANCE, SOUTHWESTERN POWER  
 9 ADMINISTRATION

10 For necessary expenses of operation and maintenance  
 11 of power transmission facilities and of marketing electric  
 12 power and energy, and for construction and acquisition of  
 13 transmission lines, substations and appurtenant facilities,  
 14 and for administrative expenses, including official recep-  
 15 tion and representation expenses in an amount not to ex-  
 16 ceed \$1,500 in carrying out the provisions of section 5 of  
 17 the Flood Control Act of 1944 (16 U.S.C. 825s), as applied  
 18 to the southwestern power area, \$28,000,000, to remain  
 19 available until expended; in addition, notwithstanding the  
 20 provisions of 31 U.S.C. 3302, not to exceed \$4,200,000 in  
 21 reimbursements, to remain available until expended.

22 CONSTRUCTION, REHABILITATION, OPERATION AND  
 23 MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

24 For carrying out the functions authorized by title III,  
 25 section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.

1 7152), and other related activities including conservation  
 2 and renewable resources programs as authorized, including  
 3 official reception and representation expenses in an amount  
 4 not to exceed \$1,500, \$223,555,000, to remain available  
 5 until expended, of which \$160,286,000 shall be derived from  
 6 the Department of the Interior Reclamation Fund: Pro-  
 7 vided, That of the amount herein appropriated, \$5,036,000  
 8 is for deposit into the Utah Reclamation Mitigation and  
 9 Conservation Account pursuant to title IV of the Reclama-  
 10 tion Projects Authorization and Adjustment Act of 1992.

11 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*

12 *FUND*

13 *For operation, maintenance, and emergency costs for*  
 14 *the hydroelectric facilities at the Falcon and Amistad*  
 15 *Dams, \$1,309,000, to remain available until expended, and*  
 16 *to be derived from the Falcon and Amistad Operating and*  
 17 *Maintenance Fund of the Western Area Power Administra-*  
 18 *tion, as provided in section 423 of the Foreign Relations*  
 19 *Authorization Act, Fiscal Years 1994 and 1995.*

20 *FEDERAL ENERGY REGULATORY COMMISSION*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the Federal Energy Regu-*  
 23 *latory Commission to carry out the provisions of the De-*  
 24 *partment of Energy Organization Act (42 U.S.C. 7101 et*  
 25 *seq.), including services as authorized by 5 U.S.C. 3109,*

1 the hire of passenger motor vehicles, and official reception  
 2 and representation expenses (not to exceed \$3,000),  
 3 \$170,000,000, to remain available until expended: Pro-  
 4 vided, That notwithstanding any other provision of law, not  
 5 to exceed \$170,000,000 of revenues from fees and annual  
 6 charges, and other services and collections in fiscal year  
 7 2000 shall be retained and used for necessary expenses in  
 8 this account, and shall remain available until expended:  
 9 Provided further, That the sum herein appropriated from  
 10 the General Fund shall be reduced as revenues are received  
 11 during fiscal year 2000 so as to result in a final fiscal year  
 12 2000 appropriation from the General Fund estimated at  
 13 not more than \$0.

## 14 GENERAL PROVISIONS

### 15 DEPARTMENT OF ENERGY

16 SEC. 301. (a) None of the funds appropriated by this  
 17 Act or any prior appropriations Act may be used to award  
 18 a management and operating contract unless such contract  
 19 is awarded using competitive procedures or the Secretary  
 20 of Energy grants, on a case-by-case basis, a waiver to allow  
 21 for such a deviation. The Secretary may not delegate the  
 22 authority to grant such a waiver.

23 (b) At least 60 days before a contract award, amend-  
 24 ment, or modification for which the Secretary intends to  
 25 grant such a waiver, the Secretary shall submit to the Sub-

1 *committees on Energy and Water Development of the Com-*  
2 *mittees on Appropriations of the House of Representatives*  
3 *and the Senate a report notifying the subcommittees of the*  
4 *waiver and setting forth the reasons for the waiver.*

5       *SEC. 302. Of the funds appropriated by this title to*  
6 *the Department of Energy, not more than \$200,000,000*  
7 *shall be available for reimbursement of contractor travel ex-*  
8 *penses, and no funds shall be available for reimbursement*  
9 *of contractor travel expenses that exceed 80 percent of the*  
10 *amount incurred by any individual contractor in fiscal*  
11 *year 1998.*

12       *SEC. 303. None of the funds appropriated by this Act*  
13 *or any prior appropriations Act may be used to—*

14               *(1) develop or implement a workforce restruc-*  
15 *turing plan that covers employees of the Department*  
16 *of Energy; or*

17               *(2) provide enhanced severance payments or*  
18 *other benefits for employees of the Department of En-*  
19 *ergy; under section 3161 of the National Defense Au-*  
20 *thorization Act for Fiscal Year 1993 (Public Law*  
21 *102–484; 106 Stat. 2644; 42 U.S.C. 7274h).*

22       *SEC. 304. None of the funds appropriated by this Act*  
23 *or any prior appropriations Act may be used to augment*  
24 *the \$30,000,000 made available for obligation by this Act*  
25 *for severance payments and other benefits and community*

1 assistance grants under section 3161 of the National De-  
 2 fense Authorization Act for Fiscal Year 1993 (Public Law  
 3 102-484; 106 Stat. 2644; 42 U.S.C. 7274h).

4 SEC. 305. None of the funds appropriated by this Act  
 5 or any prior appropriations Act may be used to prepare  
 6 or initiate Requests For Proposals (RFPs) for a program  
 7 if the program has not been funded by Congress.

8 (TRANSFERS OF UNEXPENDED BALANCES)

9 SEC. 306. The unexpended balances of prior appro-  
 10 priations provided for activities in this Act may be trans-  
 11 ferred to appropriation accounts for such activities estab-  
 12 lished pursuant to this title. Balances so transferred may  
 13 be merged with funds in the applicable established accounts  
 14 and thereafter may be accounted for as one fund for the  
 15 same time period as originally enacted.

16 SEC. 307. None of the funds in this Act may be used  
 17 to dispose of transuranic waste in the Waste Isolation Pilot  
 18 Plant which contains concentrations of plutonium in excess  
 19 of 20 percent by weight for the aggregate of any material  
 20 category on the date of enactment of this Act, or is generated  
 21 after such date.

22 SEC. 308. LIMITING THE INCLUSION OF COSTS OF  
 23 PROTECTION OF, MITIGATION OF DAMAGE TO, AND EN-  
 24 HANCEMENT OF FISH, WITHIN RATES CHARGED BY THE  
 25 BONNEVILLE POWER ADMINISTRATION, TO THE RATE PE-  
 26 RIOD IN WHICH THE COSTS ARE INCURRED. Section 7 of

1 *the Pacific Northwest Electric Power Planning and Con-*  
 2 *servation Act (16 U.S.C. 839e) is amended by adding at*  
 3 *the end the following:*

4       “(n) *LIMITING THE INCLUSION OF COSTS OF PROTEC-*  
 5 *TION OF, MITIGATION OF DAMAGE TO, AND ENHANCEMENT*  
 6 *OF FISH, WITHIN RATES CHARGED BY THE BONNEVILLE*  
 7 *POWER ADMINISTRATION, TO THE RATE PERIOD IN WHICH*  
 8 *THE COSTS ARE INCURRED.—Notwithstanding any other*  
 9 *provision of this section, rates established by the Adminis-*  
 10 *trator, in accordance with established fish funding prin-*  
 11 *ciples, under this section shall recover costs for protection,*  
 12 *mitigation and enhancement of fish, whether under the Pa-*  
 13 *cific Northwest Electric Power Planning and Conservation*  
 14 *Act or any other Act, not to exceed such amounts the Ad-*  
 15 *ministrator forecasts will be expended during the period for*  
 16 *which such rates are established.”.*

#### 17                                   *TITLE IV*

#### 18                                   *INDEPENDENT AGENCIES*

#### 19                                   *APPALACHIAN REGIONAL COMMISSION*

20       *For expenses necessary to carry out the programs au-*  
 21 *thorized by the Appalachian Regional Development Act of*  
 22 *1965, as amended, for necessary expenses for the Federal*  
 23 *Co-Chairman and the alternate on the Appalachian Re-*  
 24 *gional Commission, for payment of the Federal share of the*  
 25 *administrative expenses of the Commission, including serv-*



tion 5051, \$3,150,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

### TENNESSEE VALLEY AUTHORITY FUND

For the purposes of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. ch. 12A), \$7,000,000, to remain available until expended for operation, maintenance, surveillance, and improvement of Land Between The Lakes.

## TITLE V—RESCISSIONS

### DEPARTMENT OF DEFENSE—CIVIL

#### DEPARTMENT OF THE ARMY

#### CORPS OF ENGINEERS—CIVIL

#### GENERAL INVESTIGATIONS

#### (RESCISSIONS)

Of the funds made available under this heading in Public Law 105–245 and prior Energy and Water Development Acts, the following amounts are hereby rescinded in the amounts specified:

Calleguas, Creek, California, \$271,100;

San Joaquin, Caliente Creek, California,  
\$155,400;

Red River Waterway, Shreveport, Louisiana, to  
Dangerfield, Texas \$582,600;

Buffalo, Small Boat Harbor, New York, \$15,100;  
City of Buffalo, New York, \$4,000;

*Geneva State Park, Ohio Shoreline Protection,*  
*\$91,000;*

*Clinton River Spillway, Michigan, \$50,000;*

*Lackawanna River Basin Greenway Corridor,*  
*Pennsylvania, \$217,900; and*

*Red River Waterway, Index Arkansas, to*  
*Denison Dam, Texas, \$125,000.*

*CONSTRUCTION, GENERAL*

*(RESCISSIONS)*

*Of the funds made available under this heading in*  
*Public Law 105–245, and prior Energy and Water Devel-*  
*opment Acts, the following amounts are hereby rescinded*  
*in the amounts specified:*

*Sacramento River Flood Control Project, Cali-*  
*fornia (Deficiency Correction), \$1,500,000;*

*Melaleuca Quarantine Facility, Florida,*  
*\$295,000;*

*Lake George, Hobart, Indiana, \$3,484,000;*

*Southern and Eastern Kentucky, Kentucky,*  
*\$2,623,000;*

*Anacostia River (Section 1135), Maryland,*  
*\$1,534,000;*

*Sowashee Creek, Meridian, Mississippi,*  
*\$2,537,000;*

*Platte River Flood and Streambank Erosion*  
*Control, Nebraska, \$1,409,000;*

1           *Rochester Harbor, New York, \$1,842,000;*  
 2           *Columbia River, Seafarers Museum, Hammond,*  
 3           *Oregon, \$98,000;*  
 4           *South Central Pennsylvania, Environmental Im-*  
 5           *provements Program, Pennsylvania, \$20,000,000; and*  
 6           *Quonset Point, Davisville, Rhode Island,*  
 7           *\$120,000.*

## 8                           *DEPARTMENT OF ENERGY*

### 9   *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*

#### 10                           *ADMINISTRATION*

#### 11                           *(RESCISSION)*

12           *Of the funds made available under this heading in*  
 13           *Public Law 105–245 and prior Energy and Water Develop-*  
 14           *ment Acts, \$5,500,000, are rescinded.*

## 15                           *TITLE VI—GENERAL PROVISIONS*

16           *SEC. 601. None of the funds appropriated by this Act*  
 17           *may be used in any way, directly or indirectly, to influence*  
 18           *congressional action on any legislation or appropriation*  
 19           *matters pending before Congress, other than to commu-*  
 20           *nicate to Members of Congress as described in section 1913*  
 21           *of title 18, United States Code.*

22           *SEC. 602. (a) PURCHASE OF AMERICAN-MADE EQUIP-*  
 23           *MENT AND PRODUCTS.—It is the sense of the Congress that,*  
 24           *to the greatest extent practicable, all equipment and prod-*

1    *ucts purchased with funds made available in this Act should*  
2    *be American-made.*

3            *(b) NOTICE REQUIREMENT.—In providing financial*  
4    *assistance to, or entering into any contract with, any entity*  
5    *using funds made available in this Act, the head of each*  
6    *Federal agency, to the greatest extent practicable, shall pro-*  
7    *vide to such entity a notice describing the statement made*  
8    *in subsection (a) by the Congress.*

9            *(c) PROHIBITION OF CONTRACTS WITH PERSONS*  
10    *FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—*  
11    *If it has been finally determined by a court or Federal agen-*  
12    *cy that any person intentionally affixed a label bearing a*  
13    *“Made in America” inscription, or any inscription with*  
14    *the same meaning, to any product sold in or shipped to*  
15    *the United States that is not made in the United States,*  
16    *the person shall be ineligible to receive any contract or sub-*  
17    *contract made with funds made available in this Act, pur-*  
18    *suant to the debarment, suspension, and ineligibility proce-*  
19    *dures described in sections 9.400 through 9.409 of title 48,*  
20    *Code of Federal Regulations.*

21            *SEC. 603. (a) None of the funds appropriated or other-*  
22    *wise made available by this Act may be used to determine*  
23    *the final point of discharge for the interceptor drain for*  
24    *the San Luis Unit until development by the Secretary of*  
25    *the Interior and the State of California of a plan, which*

1 *shall conform to the water quality standards of the State*  
2 *of California as approved by the Administrator of the Envi-*  
3 *ronmental Protection Agency, to minimize any detrimental*  
4 *effect of the San Luis drainage waters.*

5       *(b) The costs of the Kesterson Reservoir Cleanup Pro-*  
6 *gram and the costs of the San Joaquin Valley Drainage*  
7 *Program shall be classified by the Secretary of the Interior*  
8 *as reimbursable or nonreimbursable and collected until fully*  
9 *repaid pursuant to the “Cleanup Program—Alternative*  
10 *Repayment Plan” and the “SJVDP—Alternative Repay-*  
11 *ment Plan” described in the report entitled “Repayment*  
12 *Report, Kesterson Reservoir Cleanup Program and San*  
13 *Joaquin Valley Drainage Program, February 1995”, pre-*  
14 *pared by the Department of the Interior, Bureau of Rec-*  
15 *lamation. Any future obligations of funds by the United*  
16 *States relating to, or providing for, drainage service or*  
17 *drainage studies for the San Luis Unit shall be fully reim-*  
18 *bursable by San Luis Unit beneficiaries of such service or*  
19 *studies pursuant to Federal Reclamation law.*

20       *SEC. 604. None of the funds made available in this*  
21 *or any other Act may be used to restart the High Flux*  
22 *Beam Reactor.*

23       *SEC. 605. Section 6101(a)(3) of the Omnibus Budget*  
24 *Reconciliation Act of 1990, as amended, (42 U.S.C.*

1 2214(a)(3)) is amended by striking “September 30, 1999”  
 2 and inserting “September 30, 2000”.

3 SEC. 606. UNITED STATES ENRICHMENT CORPORA-  
 4 TION FUND. (a) WITHDRAWALS.—Subsections (b) and (c)  
 5 of section 1 of Public Law 105–204 (112 Stat. 681) are  
 6 amended by striking “fiscal year 2000” and inserting “fis-  
 7 cal year 2002”.

8 (b) INVESTMENT OF AMOUNTS IN THE USEC FUND.—

9 (1) IN GENERAL.—The Secretary of the Treasury  
 10 shall invest such portion of the United States Enrich-  
 11 ment Corporation Fund as is not, in the judgment of  
 12 the Secretary, required to meet current withdrawals.  
 13 Investments may be made only in interest-bearing ob-  
 14 ligations of the United States.

15 (2) ACQUISITION OF OBLIGATIONS.—For the pur-  
 16 pose of investments under paragraph (1), obligations  
 17 may be acquired—

18 (A) on original issue at the issue price; or  
 19 (B) by purchase of outstanding obligations  
 20 at the market price.

21 (3) SALE OF OBLIGATIONS.—Any obligation ac-  
 22 quired by the Fund may be sold by the Secretary of  
 23 the Treasury at the market price.

24 (4) CREDITS TO FUND.—The interest on, and the  
 25 proceeds from the sale or redemption of, any obliga-

1        *tions held in the Fund shall be credited to and form*  
2        *a part of the Fund.*

3        *SEC. 607. LAKE CASCADE. (a) DESIGNATION.—The*  
4        *reservoir commonly known as the “Cascade Reservoir”, cre-*  
5        *ated as a result of the building of the Cascade Dam author-*  
6        *ized by the matter under the heading “BUREAU OF REC-*  
7        *LAMATION” of the fifth section of the Interior Department*  
8        *Appropriation Act, 1942 (55 Stat. 334, chapter 259) for*  
9        *the Boise Project, Idaho, Payette division, is redesignated*  
10       *as “Lake Cascade”.*

11       *(b) REFERENCES.—Any reference in any law, regula-*  
12       *tion, document, record, map, or other paper of the United*  
13       *States to “Cascade Reservoir” shall be considered to be a*  
14       *reference to “Lake Cascade”.*

15       *SEC. 608. Section 4(h)(10)(D) of the Pacific Northwest*  
16       *Electric Power Planning and Conservation Act (16 U.S.C.*  
17       *839b(h)(10)(D)) is amended by striking clauses (vii) and*  
18       *(viii) and inserting the following:*

19       *“(vii) COST LIMITATION.—The annual cost of this pro-*  
20       *vision shall not exceed \$500,000 in 1997 dollars.”.*

1        *This Act may be cited as the “Energy and Water De-*  
2 *velopment Appropriations Act, 2000”.*

Attest:

*Secretary.*



106TH CONGRESS  
1ST SESSION

# H. R. 2605

---

---

## AMENDMENT